

**U.S. Department of Labor**

Employment Standards Administration  
Wage and Hour Division  
Washington, D.C. 20210



May 17, 2002

ALL AGENCY MEMORANDUM NUMBER 195

TO: All Contracting Agencies of the Federal Government and Contracting  
Agencies of the District of Columbia

FROM:  Tammy D. McCutchen  
Administrator

SUBJECT: Service Contract Act Health and Welfare Fringe Benefit Changes.

In accordance with the requirements of Section 4.52 of Regulations, 29 CFR Part 4, the prevailing health and welfare fringe benefits issued under the McNamara O'Hara Service Contract Act (SCA) will be increased on June 1, 2002. As prescribed by the Regulations the new benefit rate is derived from the latest Bureau of Labor Statistics Employment Cost Index (ECI) summary of **Employer Cost for Employee Compensation**. Effective June 1, 2002 the new SCA health and welfare benefit rate will be \$2.15 per hour or \$86.00 per week or \$372.67 per month.

**Solicitation/Contracts Affected**

All Invitation for Bids opened, or other service contracts awarded on or after June 1, 2002 must include an updated SCA wage determination (WD) issued in accordance with the regulatory health and welfare fringe benefit determination methodology. Contracting agencies may make pen and ink changes to their current WD if received for contracts beginning on or after June 1, and for which the updated health and welfare rates were not included. It is not required that contracting agencies request a revised WD for only a health and welfare rate change. Contracts with wage determinations currently requiring health and welfare benefits costing an average of \$2.56 per hour are not affected by this change.

**Wage Determinations for the State of Hawaii**

Under Section 2(a)(2) of the Service Contract Act, fringe benefit payments that are required by state law may not be used to satisfy the employer's fringe benefit obligations. In Hawaii, most employers are required by law to provide health insurance coverage for their employees. Therefore, employer contributions that are made to satisfy the employer's obligations under the Hawaii mandated prepaid Health Care Act may not be credited toward meeting the contractor's obligations under SCA. The SCA WD's have addressed this issue in the past by excluding the health insurance portion. Currently, most Hawaii WD's specify a health and welfare benefit amount of \$.93 per hour.

*Working to Improve the Lives of America's Workers*

Consistent with past practices, and in recognition of the fact that Hawaii law requires employers to provide health care coverage for most employees, the SCA WD's for Hawaii will continue to exclude the health insurance portion of the benefits for all employees on whose behalf the employer provides benefits pursuant to the Health Care Act. However, all employers are not required to make and, in fact, do not make contributions for certain employees under the Hawaii law. If this is the case, then the reduced fringe benefit level is not appropriate for these employees.

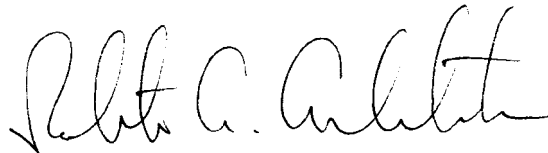
Therefore, effective June 1, 2002 the new SCA health and welfare fringe benefit level for Hawaii will be \$.99 per hour, or \$ 39.60 per week, or \$ 171.60 per month for all employees on whose behalf the contractor provides health care benefits pursuant to the Hawaii Health Care Act. For those employees who are not receiving health care benefits mandated by the Hawaii Health Care Act, the new health and welfare benefit rate will be \$2.15 per hour. For information regarding the Hawaii's prepaid Health Care Act please contact the Hawaii Employer's Council, Post Office Box 29699, Honolulu, Hawaii 96820-2099, telephone number 1-800-836-1511.

# memorandum

DATE: **MAY 16 2002**  
REPLY TO:  
ATTN OF: MOCD:CHRB:RAA  
SUBJECT: SCA Blanket Wage Determination

Victoria Cruz, OKSO  
Adolfo Bachicha, SNL MS-0202 (10217) :  
Yolanda Alarid, OLASO  
John Hernandez, LANL, BUS-5, MS P274  
Joyce Sullivan, LANL, BUS-5, MS P222  
Don Garcia, OCP  
Dave Nienow, OCP

Wage determinations number 94-2361 revision (18) and 1969-0115 revision (29) are enclosed. The wage determinations were issued by the US Department of Labor for our use under the blanket wage determination program for the period June 13, 2002 through June 12, 2003. Please note that wage determination 1969-0015 revision (29) is only applicable to forestry and land management services. Some of this type of work was performed at LANL the last couple of years. If you have any questions related to the blanket wage determination program, please call me at 845-4222.



Roberto A. Archuleta  
Contractor Human Resources Branch  
Office of Management and Operating Contracts

NOTICE OF INTENTION TO MAKE  
A SERVICE CONTRACT AND RESPONSE TO NOTICE  
(See Instructions on Reverse)

A 1804431

MAIL TO:

Administrator  
Wage and Hour Division  
U.S. Department of Labor  
Washington, D.C. 20210

2. Estimated solicitation date (use numerals)

Month 06 Day 13 Year 2002  
06 12 2003

3. Estimated date bids or proposals to be opened or negotiations begun (use numerals)

Month 06 Day 13 Year 2002  
06 12 2003

4. Date contract performance to begin (use numerals)

Month 06 Day 13 Year 2002  
06 12 2003

5. PLACE(S) OF PERFORMANCE

Albuquerque, NM  
Bernalillo County  
Los Alamos, NM  
Los Alamos, NM

6. SERVICES TO BE PERFORMED (describe)

Services to be performed are described in worksheets attached to this notice.

Nm

Food

7. INFORMATION ABOUT PERFORMANCE

- A. ☒ Services now performed by a contractor B. ☐ Services now performed by Federal employees C. ☐ Services not presently being performed

8. IF BOX A IN ITEM 7 IS MARKED, COMPLETE ITEM 8 AS APPLICABLE

a. Name and address of incumbent contractor

Blanket Wage Determination

See Attached

b. Number(s) of any wage determination(s) in incumbent's contract

Wage determinations are indicated in the attached worksheets.

c. Name(s) of union(s) if services are being performed under collective bargaining agreement(s). Important: Attach copies of current applicable collective bargaining agreements

RESPONSE TO NOTICE

(by Department of Labor)

- A. ☒ The attached wage determination(s) listed below apply to procurement.

See Attachment

- B. ☐ As of this date, no wage determination applicable to the specified locality and classes of employees is in effect.

- C. ☐ From information supplied, the Service Contract Act does not apply (see attached explanation).

- D. ☐ Notice returned for additional information (see attached explanation).

Signed:

MAY -7 2002 (U.S. Department of Labor)

(Date)

9. OFFICIAL SUBMITTING NOTICE

SIGNED:

Roberto A. Archuleta  
Regional Blanket Coordinator

DATE

4/11/02

TYPE OR PRINT NAME

TELEPHONE NO.

(505) 845-4222

10. TYPE OR PRINT NAME AND TITLE OF PERSON TO WHOM RESPONSE IS TO BE SENT AND NAME AND ADDRESS OF DEPARTMENT OR AGENCY, BUREAU, DIVISION, ETC.

Roberto A. Archuleta  
U.S. Dept. of Energy  
Bldg. 392, CHRB/OMOC  
P.O. Box 5400  
Albuquerque, NM 87185-5400

REGISTER OF WAGE DETERMINATIONS UNDER  
THE SERVICE CONTRACT ACT  
By direction of the Secretary of Labor



William W. Gross  
Director

Division of  
Wage Determinations

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION  
WASHINGTON, D.C. 20210

Wage Determination No.: 1994-2361  
Revision No.: 18  
Date of Last Revision: 03/19/2002

State: New Mexico

Area: New Mexico Counties of Bernalillo, Catron, Cibola, Colfax, De Baca, Guadalupe, Harding, Los Alamos, McKinley, Mora, Rio Arriba, San Juan, San Miguel, Sandoval, Santa Fe, Socorro, Taos, Torrance, Valencia

**\*\* Fringe Benefits Required Follow the Occupational Listing \*\***

**OCCUPATION TITLE**

**MINIMUM WAGE RATE**

**Administrative Support and Clerical Occupations**

Accounting Clerk I	8.48
Accounting Clerk II	9.76
Accounting Clerk III	12.23
Accounting Clerk IV	15.51
Court Reporter	11.55
Dispatcher, Motor Vehicle	11.55
Document Preparation Clerk	10.91
Duplicating Machine Operator	10.91
Film/Tape Librarian	9.14
General Clerk I	7.00
General Clerk II	8.28
General Clerk III	9.50
General Clerk IV	11.02
Housing Referral Assistant	14.84
Key Entry Operator I	7.91
Key Entry Operator II	9.88
Messenger (Courier)	8.08
Order Clerk I	8.67
Order Clerk II	10.35
Personnel Assistant (Employment) I	10.60
Personnel Assistant (Employment) II	11.91
Personnel Assistant (Employment) III	13.16
Personnel Assistant (Employment) IV	15.23
Production Control Clerk	13.93
Rental Clerk	9.09
Scheduler, Maintenance	11.61
Secretary I	11.61
Secretary II	12.83
Secretary III	14.84
Secretary IV	16.85
Secretary V	21.01
Service Order Dispatcher	10.45

Stenographer I	10.45
Stenographer II	11.74
Supply Technician	16.85
Survey Worker (Interviewer)	10.04
Switchboard Operator-Receptionist	9.57
Test Examiner	12.83
Test Proctor	12.83
Travel Clerk I	10.38
Travel Clerk II	11.19
Travel Clerk III	11.90
Word Processor I	9.80
Word Processor II	11.02
Word Processor III	12.32

**Automatic Data Processing Occupations**

Computer Data Librarian	10.45
Computer Operator I	12.57
Computer Operator II	12.80
Computer Operator III	16.91
Computer Operator IV	18.80
Computer Operator V	21.53
Computer Programmer I (1)	15.21
Computer Programmer II (1)	17.41
Computer Programmer III (1)	21.93
Computer Programmer IV (1)	26.52
Computer Systems Analyst I (1)	17.50
Computer Systems Analyst II (1)	22.59
Computer Systems Analyst III (1)	26.60
Peripheral Equipment Operator	12.67

**Automotive Service Occupations**

Automotive Body Repairer, Fiberglass	15.27
Automotive Glass Installer	13.99
Automotive Worker	13.99
Electrician, Automotive	16.03
Mobile Equipment Servicer	11.94
Motor Equipment Metal Mechanic	15.90
Motor Equipment Metal Worker	13.99
Motor Vehicle Mechanic	16.03
Motor Vehicle Mechanic Helper	12.04
Motor Vehicle Upholstery Worker	13.99
Motor Vehicle Wrecker	13.99
Painter, Automotive	15.20
Radiator Repair Specialist	13.99
Tire Repairer	10.94
Transmission Repair Specialist	15.90

**Food Preparation and Service Occupations**

Baker	11.12
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Cook I	9.75
Cook II	11.12
Dishwasher	6.65
Food Service Worker	6.97
Meat Cutter	13.77
Waiter/Waitress	7.15

**Furniture Maintenance and Repair Occupations**

Electrostatic Spray Painter	14.65
Furniture Handler	11.32
Furniture Refinisher	14.49
Furniture Refinisher Helper	11.32
Furniture Repairer, Minor	13.70
Upholsterer	14.65

**General Services and Support Occupations**

Cleaner, Vehicles	7.56
Elevator Operator	7.60
Gardener	11.82
House Keeping Aid I	6.73
House Keeping Aid II	7.76
Janitor	7.60
Laborer, Grounds Maintenance	8.60
Maid or Houseman	6.73
Pest Controller	12.02
Refuse Collector	7.14
Tractor Operator	10.83
Window Cleaner	8.75

**Health Occupations**

Dental Assistant	11.27
Emergency Medical Technician (EMT)/Paramedic/Ambulance Driver	12.33
Licensed Practical Nurse I	12.90
Licensed Practical Nurse II	12.90
Licensed Practical Nurse III	14.43
Medical Assistant	10.21
Medical Laboratory Technician	12.93
Medical Record Clerk	11.24
Medical Record Technician	13.54
Nursing Assistant I	8.04
Nursing Assistant II	9.04
Nursing Assistant III	9.87
Nursing Assistant IV	11.07
Pharmacy Technician	12.19
Phlebotomist	10.65
Registered Nurse I	15.04
Registered Nurse II	18.40
Registered Nurse II, Specialist	18.40
Registered Nurse III	22.27

Registered Nurse III, Anesthetist	22.27
Registered Nurse IV	26.68

**Information and Arts Occupations**

Audiovisual Librarian	11.94
Exhibits Specialist I	12.68
Exhibits Specialist II	15.48
Exhibits Specialist III	19.37
Illustrator I	14.58
Illustrator II	17.80
Illustrator III	22.28
Librarian	16.53
Library Technician	10.09
Photographer I	12.66
Photographer II	14.06
Photographer III	17.30
Photographer IV	19.37
Photographer V	23.43

**Laundry, Dry Cleaning, Pressing and Related Occupations**

Assembler	6.70
Counter Attendant	6.53
Dry Cleaner	7.51
Finisher, Flatwork, Machine	6.70
Presser, Hand	6.70
Presser, Machine, Drycleaning	6.70
Presser, Machine, Shirts	6.70
Presser, Machine, Wearing Apparel, Laundry	6.70
Sewing Machine Operator	8.49
Tailor	9.79
Washer, Machine	7.00

**Machine Tool Operation and Repair Occupations**

Machine-Tool Operator (Toolroom)	16.41
Tool and Die Maker	19.81

**Material Handling and Packing Occupations**

Forklift Operator	11.24
Fuel Distribution System Operator	12.80
Material Coordinator	13.46
Material Expediter	13.46
Material Handling Laborer	9.92
Order Filler	9.83
Production Line Worker (Food Processing)	10.49
Shipping Packer	10.67
Shipping/Receiving Clerk	10.67
Stock Clerk (Shelf Stocker; Store Worker II)	10.71
Store Worker I	8.08
Tools and Parts Attendant	10.49



Warehouse Specialist	10.49
<b>Mechanics and Maintenance and Repair Occupations</b>	
Aircraft Mechanic	15.54
Aircraft Mechanic Helper	11.32
Aircraft Quality Control Inspector	16.56
Aircraft Servicer	12.80
Aircraft Worker	13.70
Appliance Mechanic	14.49
Bicycle Repairer	10.94
Cable Splicer	16.69
Carpenter, Maintenance	14.49
Carpet Layer	15.76
Electrician, Maintenance	17.48
Electronics Technician, Maintenance I	14.94
Electronics Technician, Maintenance II	18.44
Electronics Technician, Maintenance III	19.56
Fabric Worker	10.60
Fire Alarm System Mechanic	15.54
Fire Extinguisher Repairer	12.80
Fuel Distribution System Mechanic	15.54
General Maintenance Worker	13.70
Heating, Refrigeration and Air Conditioning Mechanic	15.91
Heavy Equipment Mechanic	15.37
Heavy Equipment Operator	13.88
Instrument Mechanic	15.54
Laborer	8.21
Locksmith	14.65
Machinery Maintenance Mechanic	16.75
Machinist, Maintenance	15.95
Maintenance Trades Helper	12.04
Millwright	17.20
Office Appliance Repairer	14.65
Painter, Aircraft	14.49
Painter, Maintenance	14.49
Pipefitter, Maintenance	17.61
Plumber, Maintenance	16.47
Pneudraulic Systems Mechanic	15.54
Rigger	15.54
Scale Mechanic	15.20
Sheet-Metal Worker, Maintenance	15.20
Small Engine Mechanic	13.70
Telecommunication Mechanic I	15.20
Telecommunication Mechanic II	16.02
Telephone Lineman	15.54
Welder, Combination, Maintenance	15.20
Well Driller	15.54
Woodcraft Worker	15.54
Woodworker	15.20

**Miscellaneous Occupations**

Animal Caretaker	8.85
Carnival Equipment Operator	10.36
Carnival Equipment Repairer	11.29
Carnival Worker	7.14
Cashier	7.69
Desk Clerk	8.52
Embalmer	17.93
Lifeguard	9.42
Mortician	17.93
Park Attendant (Aide)	11.84
Photofinishing Worker (Photo Lab Tech., Darkroom Tech.)	10.04
Recreation Specialist	13.57
Recycling Worker	10.36
Sales Clerk	9.34
School Crossing Guard (Crosswalk Attendant)	6.61
Sport Official	8.73
Survey Party Chief (Chief of Party)	13.68
Surveying Aide	12.44
Surveying Technician (Instr. Person/Surveyor Asst./Instr.)	12.55
Swimming Pool Operator	11.46
Vending Machine Attendant	9.21
Vending Machine Repairer	11.46
Vending Machine Repairer Helper	8.25

**Personal Needs Occupations**

Child Care Attendant	8.52
Child Care Center Clerk	12.21
Chore Aid	7.05
Homemaker	15.61

**Plant and System Operation Occupations**

Boiler Tender	17.48
Sewage Plant Operator	16.66
Stationary Engineer	17.48
Ventilation Equipment Tender	10.60
Water Treatment Plant Operator	14.99

**Protective Service Occupations**

Alarm Monitor	7.99
Corrections Officer	12.06
Court Security Officer	12.06
Detention Officer	12.06
Firefighter	11.88
Guard I	7.15
Guard II	8.00
Police Officer	14.96

**Stevedoring/Longshoremen Occupations**

Blocker and Bracer	13.67
Hatch Tender	13.67
Line Handler	13.67
Stevedore I	13.28
Stevedore II	13.86

**Technical Occupations**

Air Traffic Control Specialist, Center (2)	28.21
Air Traffic Control Specialist, Station (2)	19.46
Air Traffic Control Specialist, Terminal (2)	21.43
Archeological Technician I	14.26
Archeological Technician II	15.95
Archeological Technician III	19.75
Cartographic Technician	19.85
Civil Engineering Technician	17.42
Computer Based Training (CBT) Specialist/ Instructor	22.03
Drafter I	12.80
Drafter II	14.37
Drafter III	17.24
Drafter IV	19.63
Engineering Technician I	13.47
Engineering Technician II	15.12
Engineering Technician III	16.91
Engineering Technician IV	18.84
Engineering Technician V	22.42
Engineering Technician VI	27.08
Environmental Technician	16.04
Flight Simulator/Instructor (Pilot)	25.50
Graphic Artist	18.52
Instructor	19.15
Laboratory Technician	16.17
Mathematical Technician	17.40
Paralegal/Legal Assistant I	10.91
Paralegal/Legal Assistant II	14.32
Paralegal/Legal Assistant III	17.52
Paralegal/Legal Assistant IV	21.18
Photooptics Technician	15.13
Technical Writer	19.69
Unexploded (UXO) Safety Escort	17.93
Unexploded (UXO) Sweep Personnel	17.93
Unexploded Ordnance (UXO) Technician I	17.93
Unexploded Ordnance (UXO) Technician II	21.70
Unexploded Ordnance (UXO) Technician III	26.01
Weather Observer, Combined Upper Air and Surface Programs (3)	16.17
Weather Observer, Senior (3)	17.97
Weather Observer, Upper Air (3)	16.17

**Transportation/ Mobile Equipment Operation Occupations**

Bus Driver	12.55
Parking and Lot Attendant	7.58
Shuttle Bus Driver	10.96
Taxi Driver	9.07
Truckdriver, Heavy Truck	14.84
Truckdriver, Light Truck	10.21
Truckdriver, Medium Truck	12.75
Truckdriver, Tractor-Trailer	14.84

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**ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:**

**HEALTH & WELFARE:** \$2.02 an hour or \$80.80 a week or \$350.13 a month

**VACATION:** 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 10 years, and 4 after 15 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

**HOLIDAYS:** A minimum of ten paid holidays per year: New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

**THE OCCUPATIONS WHICH HAVE PARENTHESES AFTER THEM RECEIVE THE FOLLOWING BENEFITS (as numbered):**

- 1) Does not apply to employees employed in a bona fide executive, administrative, or professional capacity as defined and delineated in 29 CFR 541. (See CFR 4.156)
- 2) **APPLICABLE TO AIR TRAFFIC CONTROLLERS ONLY - NIGHT DIFFERENTIAL:** An employee is entitled to pay for all work performed between the hours of 6:00 P.M. and 6:00 A.M. at the rate of basic pay plus a night pay differential amounting to 10 percent of the rate of basic pay.
- 3) **WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY:** If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am. If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

**HAZARDOUS PAY DIFFERENTIAL:** An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordnance, explosives, and incendiary materials. This includes work such as screening, blending, dying, mixing, and pressing of sensitive ordnance, explosives, and pyrotechnic compositions such as lead azide, black powder and photoflash powder. All dry-house activities involving propellants or explosives. Demilitarization, modification, renovation, demolition, and maintenance operations on sensitive ordnance, explosives and incendiary materials. All operations involving regrading and cleaning of artillery ranges.

A 4 percent differential is applicable to employees employed in a position that represents a low degree of hazard when working with, or in close proximity to ordnance, (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands, face, or arms of the employee engaged in the operation, irritation of the skin, minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving, unloading, storage, and hauling of ordnance, explosive, and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordnance, explosives, and incendiary material differential pay.

**\*\* UNIFORM ALLOWANCE \*\***

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

**\*\* NOTES APPLYING TO THIS WAGE DETERMINATION \*\*****Source of Occupational Title and Descriptions:**

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations," Fourth Edition, January 1993, as amended by the Third Supplement, dated March 1997, unless otherwise indicated. This publication may be obtained from the Superintendent of Documents, at 202-783-3238, or by writing to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Copies of specific job descriptions may also be obtained from the appropriate contracting officer.

**REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE {Standard Form 1444 (SF 1444)}****Conformance Process:**

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. {See Section 4.6 (C)(vi)} When multiple wage determinations are included in a contract, a separate SF 1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).

4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.

5) The contracting officer transmits the Wage and Hour decision to the contractor.

6) The contractor informs the affected employees.

Information required by the Regulations must be submitted on SF 1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" (the Directory) should be used to compare job definitions to insure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination.